IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
JAIPUR BENCH
S.B. Civil Writ Petition No.2525/07
Naveen Chandra Chaturvedi & Ors.
Vs.
Addl. Civil Judge (JD), Kotputli, Distt. Jaipur & Ors.

18.04.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri D.P. Pujari for petitioner.

This writ petition has been filed by the petitioners who were plaintiffs before the trial court against the order dated 13.2.2007 whereby the application of the respondent-defendant for exhibiting certain document in evidence during the course of cross examination of the defendant was accepted and document was ordered to be exhibited on payment of cost of Rs.200/-. The application was made by the defendant on the premise that on the first date when the statement of the defendant was to be recorded, his advocate was

engaged in another Court and in that situation, the advocate of the plaintiffs started cross examination of the defendant on his affidavit who happens to be present in Court and this was how the documents could not be exhibited. It was stated that hardly two or three questions have been asked in the cross examination and cross examination was deferred for the next date on which the application was made.

Having heard he learned counsel for the petitioner, I find that the learned trial court while exercising its power allowed the documents to be exhibited on payment of cost of Rs.200/-. Cross examination of the defendant was still not over and therefore in my considered view the trial court did not commit any such legal error which may call for interference by this Court.

I therefore do not find any merit in this writ

petition. The writ petition stands dismissed.

(Mohammad Rafiq),J.

Rs/-